

FILED

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FEB 18 2020

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

CITY AND COUNTY OF SAN
FRANCISCO; COUNTY OF SANTA
CLARA,

Plaintiffs-Appellees,

v.

UNITED STATES CITIZENSHIP AND
IMMIGRATION SERVICES, a federal
agency; U.S. DEPARTMENT OF
HOMELAND SECURITY, a federal
agency; KEVIN K. MCALEENAN, in his
official capacity as Acting Secretary of the
United States Department of Homeland
Security; KENNETH T. CUCCINELLI, in
his official capacity as Acting Director of
United States Citizenship and Immigration
Services,

Defendants-Appellants.

No. 19-17213

D.C. No. 4:19-cv-04717-PJH
Northern District of California,
Oakland

ORDER

STATE OF CALIFORNIA; DISTRICT
OF COLUMBIA; STATE OF MAINE;
COMMONWEALTH OF
PENNSYLVANIA; STATE OF
OREGON,

Plaintiffs-Appellees,

v.

No. 19-17214

D.C. No. 4:19-cv-04975-PJH
Northern District of California,
Oakland

U.S. DEPARTMENT OF HOMELAND SECURITY, a federal agency; UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES, a federal agency; KEVIN K. MCALEENAN, in his official capacity as Acting Secretary of the United States Department of Homeland Security; KENNETH T. CUCCINELLI, in his official capacity as Acting Director of United States Citizenship and Immigration Services,

Defendants-Appellants.

STATE OF WASHINGTON;
COMMONWEALTH OF VIRGINIA;
STATE OF COLORADO; STATE OF DELAWARE; STATE OF ILLINOIS;
STATE OF MARYLAND;
COMMONWEALTH OF MASSACHUSETTS; DANA NESSEL, Attorney General on behalf of the People of Michigan; STATE OF MINNESOTA; STATE OF NEVADA; STATE OF NEW JERSEY; STATE OF NEW MEXICO; STATE OF RHODE ISLAND; STATE OF HAWAII,

Plaintiffs-Appellees,

v.

U.S. DEPARTMENT OF HOMELAND SECURITY, a federal agency; KEVIN K. MCALEENAN, in his official capacity as

No. 19-35914

D.C. No. 4:19-cv-05210-RMP
Eastern District of Washington,
Richland

Acting Secretary of the United States
Department of Homeland Security;
UNITED STATES CITIZENSHIP AND
IMMIGRATION SERVICES, a federal
agency; KENNETH T. CUCCINELLI, in
his official capacity as Acting Director of
United States Citizenship and Immigration
Services,

Defendants-Appellants.

Before: BYBEE, IKUTA, and OWENS, Circuit Judges

The panel judges have voted to deny the appellees' motions for reconsideration. Judge Bybee would recommend denial of the motions for reconsideration en banc. Judge Ikuta would vote to deny the motions. Judge Owens would vote to grant the motions.

The full court has been advised of the motions for rehearing en banc and no judge has requested a vote on whether to rehear the matter en banc. Fed. R. App. P. 35.

Appellees' motions for rehearing and petition for rehearing en banc, filed December 19, 2019, are DENIED.